UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

LES. R. KRAMSKY,

Plaintiff,

No.: 10 CV 2638

-against-

NOTICE OF MOTION TO DISMISS

CHETRIT GROUP, LLC, JOSEPH CHETRIT, JUDA CHETRIT, MEYER CHETRIT, and JACOB CHETRIT,

Defendants.

X

PLEASE TAKE NOTICE, that upon the annexed Affirmation of Jack Babchik, Esq., dated May 6, 2010, the exhibits annexed thereto, and the accompanying and Memorandum of Law, dated May 6, 2010, defendants CHETRIT GROUP, LLC, JOSEPH CHETRIT, JUDA CHETRIT, MEYER CHETRIT, and JACOB CHETRIT, will move this Court before the Honorable Harold E. Baer, at the United States District Courthouse located at 500 Pearl Street, New York 10007, on the day of June, 2010, at 9:30 a.m., or as soon thereafter as defendants may be heard, for an Order pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure granting the defendant's Motion to Dismiss the Amended Complaint.

Dated: White Plains, New York

May 6, 2010

BABCHIK & YOUNG LLP

By:

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